


[8otscadv] [ORDER TO SHOW CAUSE AND ORDER OF CONDITIONAL DISMISSAL OF ADVERSARY PROCEEDING]

ORDERED.

Dated: October 11, 2019


Michael G. Williamson
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

In re:
Iris Pereira

Case No. 8:14-bk-01703-MGW
Chapter 13

Debtor* /

Adams Law Association, P.A.

Plaintiff*

Adv. Pro. No. 8:17-ap-00565-MGW

vs.

Iris Pereira
Santiago and Isabel Casal

Universal Property & Casualty Insurance
Company

Defendant* /

ORDER TO SHOW CAUSE AND ORDER
OF CONDITIONAL DISMISSAL OF ADVERSARY PROCEEDING

THIS ADVERSARY PROCEEDING came on for consideration upon the Court's own Motion for the purpose of entering an appropriate order in the above-captioned adversary proceeding.

☒ The Court considered the record and finds that no action has been taken by the Plaintiff for more than one (1) year in this Adversary Proceeding and it appears that the Plaintiff no longer desires to pursue this matter. Therefore, it is appropriate to require the Plaintiff to show cause, if there is any, why the above-captioned Adversary Proceeding should not be dismissed. Accordingly, it is

☐ The Court considered the record and finds that this Court entered an Order on Pretrial Hearing on and no notice has been filed stating the Adversary Proceeding is ready for trial. Therefore, it is appropriate to require the Plaintiff to show cause, if there is any, why the above-captioned Adversary Proceeding should not be dismissed. Accordingly, it is

☐ The Court considered the record and it appears that there is no record that service of the summons and the complaint has been made upon the Defendant within one hundred twenty (120) days after the date of the filing of the complaint in accordance with Rule 4(m) Fed. R. Civ. P. and Fed. R. Bankr. P. 7004(a). Therefore, it is appropriate to require the Plaintiff to show cause, if there is any, why the above-captioned Adversary Proceeding should not be dismissed. Accordingly, it is

□ The Court has considered the record and finds that an Order Approving Compromise was entered on in the general case. Thirty (30) days have elapsed since the entry of the Order Approving Compromise and an appropriate motion or stipulation has not been submitted disposing of the Adversary Proceeding. Accordingly, it is

ORDERED:

1. No later than twenty-one (21) days from the date of entry of this Order, the Plaintiff shall file and serve on the Defendant a written response as to why the Court should not dismiss this Adversary Proceeding for lack of prosecution.

2. In the event the Plaintiff fails to file the written response as ordered above, this Adversary Proceeding shall stand and be taken as dismissed without prejudice without further notice, order, or hearing.

3. If the written response reveals the factual or legal issues requiring a hearing, the Court will schedule a hearing and notify the parties. Otherwise, the Court will consider the matter on the papers without further notice or hearing.

*All references to "Debtor" shall include and refer to both of the debtors in a case filed jointly by two individuals.

*All references to "Plaintiff" or "Defendant" shall include and refer to multiple plaintiffs or defendants.